

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

EXTENDED STAY, INC. *et al.*,

Debtors.

Chapter 11

Case No. 09-13764 (JMP)

(Jointly Administered)

WALKER, TRUESDELL, ROTH &
ASSOCIATES, as Trustee for and on behalf of the
EXTENDED STAY LITIGATION TRUST,

HOBART TRUESDELL, as Trustee for and on
behalf of the EXTENDED STAY LITIGATION
TRUST, and

Adv. Pro. No. 11-2259 (JMP)

THE EXTENDED STAY LITIGATION TRUST,

Plaintiffs,

v.

**NOTICE OF DISMISSAL
WITH PREJUDICE**

ARCHON GROUP, L.P., individually and as servicer;
STARWOOD CAPITAL GROUP GLOBAL, L.P.;
DEBT U ESH, L.P.; DEBT II ESH, L.P.;
WACHOVIA BANK, NATIONAL ASSOCIATION;
SQUARE MILE CAPITAL MANAGEMENT, LLC;
ESH OWNER, LLC; KEYBANK, NATIONAL
ASSOCIATION; U.S. BANK NATIONAL
ASSOCIATION, not individually but solely as
Trustee for Maiden Lane Commercial Mortgage-
Backed Securities Trust 2008-1, Maiden Lane
Commercial Mortgage-Backed Securities Trust 2008-
1 and the Federal Reserve Bank of New York; and
DOES 1 through 100, inclusive,

Defendants.

PLEASE TAKE NOTICE THAT, pursuant to the Court's Order Appointing
Successor Litigation Trustee and Approving Amendment to Litigation Trust Agreement, dated
August 28, 2012 (the "August 28 Order"), Rule 7041 of the Federal Rules of Bankruptcy

Procedure, and the Amendment to the Extended Stay Litigation Trust Agreement, approved by the Court's August 28 Order, this adversary proceeding (Adv. Proc. No. 11-02259 (JMP)), including all claims and counter-claims asserted therein, is hereby dismissed in its entirety with prejudice and without costs to any party against any other. Accordingly, this adversary proceeding is hereby closed.

Dated: September 26, 2012

VENABLE LLP

By: /s/ Gregory A. Cross
Gregory A. Cross

Gregory A. Cross
Venable LLP
750 East Pratt Street, Suite 900
Baltimore, Maryland 21202
Tel: 410-244-7400

- and -

Carolynn H.G. Callari
Michael Schatzow
Venable LLP
Rockefeller Center, 24th Floor
1270 Avenue of the Americas
New York, New York 10020
Tel: 212-307-5500

*Counsel for Plaintiffs, the Extended Stay
Litigation Trust and Finbarr O'Connor, as Successor
Trustee of the Extended Stay Litigation Trust*